

# United States District Court

WESTERN DISTRICT OF WASHINGTON

MONDO VALDEZ

v.

KELLY ARLO

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C07-5353FDB

\_\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED:

1. The Court adopts the Report and Recommendation.
2. The petition is DENIED WITHOUT PREJUDICE. If Petitioner wishes to challenge prior convictions in the context of his current sentence and conviction he may be able to do so if the issues are exhausted and not time barred. However, the petition must challenge the 2002 conviction which petitioner is now serving.

\_\_\_\_\_  
October 19, 2007

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BRUCE RIFKIN  
Clerk

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s/ D. Forbes  
By, Deputy Clerk